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DATE: October 15, 2003
TO: Examiner Gordon Stock
FACSIMILE NO.: (703)872-9306
FROM: Robert M. Sieg
RE: Our File XERZ 200423

Total number of pages (including this cover sheet):

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INVENTOR(S) : Franzen et al.

TITLE : APPARATUS AND METHOD FOR
CHARACTERIZING THE TONER
CONCENTRATION IN A
DEVELOPER OF A PRINTING
DEVICE

APPLICATION NO. : 09/940,058

FILED : August 27, 2001

EXAMINER : Gordon J. Stock, Jr.

ART UNIT : 2877

ATTORNEY DOCKET NO. : D/A0A72
XERZ 2 00423

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Herewith please find a faxed copy of Amendment A which was filed with Certificate of Mailing on September 19, 2003.


This faxed communication is being sent responsive to a Notice of Non-compliant Amendment in this case mailed to Applicants on October 2, 2003.

In accordance with a telephone conversation between the undersigned and Examiner Gordon Stock on October 15, 2003, it is Applicants understanding that the mailed Amendment A of September 19, 2003 is in fact in compliance, and that the Notice of October 2, 2003 was inadvertently sent due to Office difficulties in scanning the mailed Amendment A.

This faxed copy of Amendment A is being sent to expedite the examination process in view of these scanning difficulties.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP


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I hereby certify that this paper and/or fee is being deposited with the United States Postal Service as First Class Mail service on September 19, 2003 and is addressed to the Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Mary Ann Temesvari
Mary Ann Temesvari

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO. : 09/940,058

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CONFIRMATION NO. : 4406

EXAMINER : Gordon J. Stock, Jr.

ART UNIT : 2877

LAST OFFICE ACTION : June 19, 2003

ATTORNEY DOCKET NO. : D/A0A72
XERZ 2 00423

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT A

Dear Sir:

Responsive to the Office Action mailed June 19, 2003, on the above-referenced patent application, Applicants respectfully request reconsideration of the application.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.